

Message Text

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PAGE 01 TEHRAN 06988 201321Z

44

ACTION EB-11

INFO OCT-01 NEA-14 ISO-00 LOC-01 L-03 LAB-06 COME-00 OMB-01

TRSE-00 CIEP-03 CIAE-00 INR-11 NSAE-00 PA-04 RSC-01

USIA-15 PRS-01 SP-03 SIL-01 /076 W

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R 201146Z AUG 74

FM AMEMBASSY TEHRAN

TO SECSTATE WASHDC 7840

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E.O. 11652: N/A

TAGS: ETRD, IR

SUBJ: UNAUTHORIZED USE OF U.S. MOTION PICTURES BY NIRTV

REF: STATE 178084

1. FOR DEPARTMENT'S INFORMATION THERE IS QUOTED BELOW A MEMORANDUM FOR THE FILES PREPARED BY MARLIN REMICK, USIS, THERAN, CONCERNING THE PROBLEM DESCRIBED IN REFTEL:

"A MATTER WHICH MIGHT BE OF SOME INTEREST IS THE DIFFICULTY THAT MARC SPIEGEL AND THE MOTION PICTURE EXPORT ASSOCIATION OF AMERICA HAVE BEEN HAVING WITH NATIONAL IRANIAN RADIO-TELEVISION (NIRT). APPARENTLY NIRT HAS BEEN USING PIRATED VERSIONS OF AMERICAN FEATURE FILMS ON IRANIAN TELEVISION AND SPIEGEL IS SEEKING WAYS AND MEANS OF HAVING THEM CEASE AND DESIST. HE SAW THE AMBASSADOR THE OTHER DAY AND THEN CAME TO SEE ME TO ASK THAT WE INTERCEDE FOR HIM ON BEHALF OF THE EMBASSY AND USIS.

"SPIEGEL QUOTED THE MANAGING DIRECTOR OF NIRT AS HAVING TOLD ONE OF SPIEGEL'S CONTACTS, "SURE, WE'RE USING PIRATED FILMS AND WE WILL CONTINUE TO DO SO, AS LONG AS THEY ARE SO MUCH CHEAPER." KAMBIZ MAHMOUDI, DEPUTY MANAGING DIRECTOR, ACCORDING TO MARC, WAS MORE SYMPATHETIC TO SPIEGEL'S COMPLAINTS,
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PAGE 02 TEHRAN 06988 201321Z

BUT NOTHING HAS HAPPENED TO END THE USE OF PIRATED FILMS.

"ALTHOUGH I AM WILLING TO RAISE THIS PROBLEM INFORMALLY WITH KAMBIZ, USIS DOES NOT INTEND, AND THE AMBASSADOR FULLY AGREES, TO BECOME AN INTERMEDIARY BETWEEN SPIEGEL AND NIRT. SPIEGEL HAS ALREADY BEEN ADVISED BY ONE TOP IRANIAN LAWYER HERE, CYRUS GHANI, THAT THERE IS NO POINT IN SEEKING TO STOP THE PIRATING BECAUSE IRANIAN COPYRIGHT LAWS ARE SO LOOSE THAT HE WOULD GET NOWHERE WITH A LEGAL SUIT. ONCE WE HAVE TALKED WITH KAMBIZ, WE WILL INFORM SPIEGEL OF THAT FACT, BUT IT WILL BE A MERE FORMALITY BECAUSE THERE IS LITTLE, IN FACT NOTHING, WE CAN DO ABOUT THE SITUATION.

"I'M CONFIDENT MARC ALSO REALIZES THAT WE ARE NOT GOING TO INTERVENE, BUT AS IT DOES NOT SEEM FEASIBLE FOR HIM TO TAKE LEGAL ACTION, HE WILL AT LEAST BE ABLE TO SHOW THE HOME OFFICE THAT USIS IS USING ITS GOOD OFFICES TO TRY TO HELP IN THE SITUATION."

2. SINCE REMICK IS ON LEAVE WE ARE UNABLE TO CONFIRM THAT HE ACTUALLY DISCUSSED THE PROBLEM WITH ZAMBIZ. EMBASSY IS OF THE OPINION THAT AS A RESULT OF THE SITUATION DESCRIBED IN MEMORANDUM, VERY LITTLE CAN BE DONE BY THIS EMBASSY IN THE ABSENCE OF AN IRANIAN DETERMINATION TO ACCEDE TO THE JOINT INTERNATIONAL COPYRIGHT CONVENTION OR ALTERNATIVELY TO NEGOTIATE A US/IRANIAN BILATERAL COPYRIGHT AGREEMENT. LATTER HOWEVER APPEARS A VERY REMOTE POSSIBILITY AT THIS TIME.
HELMS

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